

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

CONTEMPT CASE No. 498 of 2014

ORDER:

This contempt case is filed alleging willful disobedience of the orders dated 06.09.2012 passed by this Court in W.P.No.711 of 1999.

Learned counsel for the respondent has submitted that in compliance with the orders dated 06.09.2012 passed by this Court in W.P.No.711 of 1999, the respondent has considered the case of the petitioners and rejected their case vide orders dated 04.09.2013.

Learned counsel for the petitioners has contended that the respondent has mechanically rejected the case of the petitioners without appreciating the observations made by this Court in W.P.No.711 of 1999 and, therefore, the respondent is liable for punishment under the Contempt of Courts Act.

This Court having considered the submissions made by the learned counsel on either side is of the view that this Court directed the respondent to consider the case of the petitioners for regularization in terms of the judgment of the Apex Court in *State of Karnataka Vs. M.L. Kesari (2010 (9) SCC 247)*, vide orders dated 06.09.2012 in W.P.No.711 of 1999 and in compliance with the said orders, the respondent has considered the case of the petitioners and rejected the same vide orders dated 04.09.2013. Unless and until the respondent deliberately and willfully violates the orders of this Court, this Court

cannot initiate any action against them under the Contempt of Courts Act. If the petitioners are aggrieved by the impugned rejection orders, it is always open for them to challenge the same before the appropriate forum.

Accordingly, the contempt case is closed.

ABHINAND KUMAR SHAVILI, J

16th November, 2018
cbs



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Contempt Case No. 498 of 2014
(closed)

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